

**FILED**

**JUN 21 2005**

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 EUMI L. CHOI (WVBN 0722)  
3 Chief, Criminal Division

4 CHRISTINE S. WATSON (CSBN 218006)  
Special Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
6 San Francisco, CA 94102  
Telephone: (415) 436-6838  
7 Facsimile: (415) 436-7234

8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 UNITED STATES OF AMERICA, )  
14 Plaintiff, )  
15 v. )  
16 PEDRO ALEXANDER PALACIOS, )  
17 Defendant. )  
18

No. CR 05-00339 JSW

~~PROPOSED~~ ORDER AND STIPULATION  
EXCLUDING TIME FROM JUNE 3, 2005  
TO JUNE 16, 2005 FROM THE SPEEDY  
TRIAL ACT CALCULATION  
(18 U.S.C. § 3161(h)(8)(A))

19 The parties appeared before the Court on June 3, 2005. With the agreement of the parties,  
20 and with the consent of the defendant, the Court enters this order scheduling an initial appearance  
21 date of June 16, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White, and documenting the  
22 exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from June 3, 2005 to  
23 June 16, 2005. The parties agreed, and the Court found and held, as follows:

24 1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant  
25 the requested continuance would unreasonably deny both government and defense counsel  
26 reasonable time necessary for effective preparation, taking into account the exercise of due  
27 diligence, and would deny the defendant and the government continuity of counsel.

28 //

STIPULATION AND ORDER  
CR 05-00339 JSW

1 2. Given these circumstances, the Court found that the ends of justice served by excluding  
2 the period from June 3, 2005 to June 16, 2005, outweigh the best interest of the public and the  
3 defendant in a speedy trial. Id. § 3161(h)(8)(A).

4 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from  
5 June 3, 2005 to June 16, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C. §  
6 3161(h)(8)(A) & (B)(iv).


7 4. The Court scheduled an initial appearance date of June 16, 2005, at 2:30 p.m., before the  
8 Honorable Jeffrey S. White.

9 IT IS SO STIPULATED.

10  
11 DATED: 6/7/05


  
CHRISTINE S. WATSON  
Special Assistant United States Attorney

12  
13  
14 DATED: 6/16/05

  
DAVID W. FERMINO  
Attorney for Pedro Alexander Palacios

15  
16 IT IS SO ORDERED.

17  
18 DATED: 6/21/05

  
HON. MARIA-ELENA JAMES  
United States Magistrate Judge